



STATE OF WEST VIRGINIA
OFFICE OF THE ATTORNEY GENERAL
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CONSUMER PROTECTION DIVISION
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Press Release

FOR IMMEDIATE RELEASE

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Attorney General McGraw Successful in Obtaining Restitution From Huey Small

Within days of Attorney General Darrell McGraw's filing of a Petition for Contempt against asphalt paver Huey Small in the Circuit Court of Kanawha County, the contractor began making restitution payments totaling \$6,000 to repay consumers who were bilked by Small into paying large sums for faulty paving jobs.

In 1997, the Attorney General's office sued Huey Small, a Mercer County man who went door-to-door with truckloads of "leftover" asphalt. Small convinced consumers to get their driveways paved. The price of the work was inflated and the quality was shoddy. Frequently the asphalt crumbled, and weeds grew through it within a week. Most of Small's victims were elderly and felt intimidated when he demanded they pay for the work with large sums of cash. In some cases, Small's men escorted the victims to their banks to withdraw money or get a check cashed.

Attorney General McGraw won the case in 1998, and Small was ordered to pay \$125,000 in restitution for consumers. Small failed to pay the judgment and in July of 2000, the Attorney General's office filed contempt charges against Small. When Small failed to appear for the proceeding, the Honorable Charles King, Circuit Judge, ordered Small jailed until he purged himself of contempt. It was not until May of 2002 that police finally learned of Small's whereabouts. He was arrested by police in Princeton, West Virginia, and was jailed for eight months until he agreed to make monthly payments of \$500 until the judgment was satisfied.

McGraw's recent petition against Small alleged that the contractor had habitually failed to make his court-ordered monthly payments, and as of April was delinquent to the tune of \$5,500. The petition asked the Court to issue a capias for the arrest of Huey Small, and to order Small to appear and show cause why he should not be found in contempt of court.

Within days, Small paid \$5,500 to bring his payments up to date, and as of today, Small paid an additional \$500 that was due for the month of April. Small further made a commitment to keep up with his monthly restitution payments in the future.

Any consumer who has been victimized by a scam paver should contact the West Virginia Attorney General's office at 304-558-8986 or 1-800-368-8808.

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